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**Attorneys for Plaintiff**

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

K.A.,

Plaintiff,

v.

MINDGEEK S.A.R.L. a foreign entity;  
MG FREESITES LTD, a foreign entity;  
MINDGEEK USA INCORPORATED,  
a Delaware corporation; MG  
PREMIUM LTD, a foreign entity; MG  
GLOBAL ENTERTAINMENT INC., a  
Delaware corporation; 9219-1568  
QUEBEC, INC., a foreign entity;  
BERND BERGMAIR, a foreign  
individual; FERAS ANTOON, a  
foreign individual; DAVID  
TASSILLO, a foreign individual; VISA  
INC., a Delaware corporation;  
REDWOOD CAPITAL  
MANAGEMENT, LLC, a Delaware  
limited liability company; REDWOOD

Case No. 2:24-cv-04786-WLH-ADS

**JOINT STIPULATION TO  
REQUEST (A) EXTENSION OF  
REMAINING BRIEFING  
SCHEDULE FOR  
DEFENDANTS' RESPONSES TO  
PLAINTIFF'S SECOND  
AMENDED COMPLAINT IN  
FLEITES ACTION AND (B)  
LIMITED COORDINATION  
FOR PURPOSES OF  
RESPONDING TO  
COMPLAINTS IN RELATED  
CASES**

Judge: Hon. Wesley L. Hsu

Complaint filed: June 7, 2024

**JOINT STIPULATION TO REQUEST (A) EXTENSION OF REMAINING  
BRIEFING SCHEDULE IN FLEITES ACTION AND (B) LIMITED COORDINATION FOR  
PURPOSES OF RESPONDING TO COMPLAINTS IN RELATED CASES**

1 DOE FUNDS 1-7; COLBECK  
2 CAPITAL MANAGEMENT, LLC, a  
3 Delaware limited liability company;  
4 COLBECK DOE FUNDS 1-3,  
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6 Defendants.  
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1 Plaintiff Serena Fleites and Plaintiffs in the 14 Related Actions identified below,  
2 (collectively, “Plaintiffs”) and Defendants MindGeek S.à r.l., MG Freesites Ltd,  
3 MindGeek USA Incorporated, MG Premium Ltd, MG Global Entertainment Inc.,  
4 9219-1568 Quebec Inc., Visa Inc., Redwood Capital Management, LLC, Colbeck  
5 Capital Management, LLC, Bernd Bergmair, Feras Antoon, and David Tassillo  
6 (collectively, “Defendants”) (collectively with Plaintiff, the “Parties”), by and through  
7 their counsel, hereby stipulate as follows:

8 WHEREAS, on May 23, 2024, Plaintiff Serena Fleites filed both a Motion to  
9 Amend the Caption and a Second Amended Complaint (the “SAC”), which identifies  
10 Colbeck and Redwood as new defendants (ECF Nos. 384, 385, *Fleites v. MindGeek*  
11 *S.a.r.l. et al.*, Case No. 21-cv-04920-WLH-ADS) (“*Fleites* Action”);

12 WHEREAS, after filing the SAC, between June 7, 2024 and August 20, 2024,  
13 Plaintiff’s counsel Brown Rudnick LLP also filed fourteen (14) additional actions  
14 against the same Defendants in the United States District Court for the Central District  
15 of California, including the above referenced matter, each of which has been  
16 designated as “related” and assigned to the Honorable Wesley L. Hsu (the “Related  
17 Actions”);

- 18 • *K.A. v. MindGeek S.A.R.L. et al.*, 24-cv-04786;
- 19 • *N.L. v. MindGeek S.A.R.L. et al.*, 24-cv-04788;
- 20 • *T.C. v. MindGeek S.A.R.L. et al.*, 24-cv-04795;
- 21 • *X.N. v. MindGeek S.A.R.L. et al.*, 24-cv-04800;
- 22 • *N.Y. v. MindGeek S.A.R.L. et al.*, 24-cv-04801;
- 23 • *L.T. v. MindGeek S.A.R.L. et al.*, 24-cv-04791;
- 24 • *J.C. v. MindGeek S.A.R.L. et al.*, 24-cv-04971;
- 25 • *W.L. v. MindGeek S.A.R.L. et al.*, 24-cv-04977;
- 26 • *C.S. v. MindGeek S.A.R.L. et al.*, 24-cv-04992;
- 27 • *S.O. v. MindGeek S.A.R.L. et al.*, 24-cv-04998;

- *L.S. v. MindGeek S.A.R.L. et al.*, 24-cv-05026;
- *W.P. v. MindGeek S.A.R.L. et al.*, 24-cv-05185;
- *A.K. v. MindGeek S.A.R.L. et al.*, 24-cv-05190; and
- *J.L. v. MindGeek S.A.R.L., et al.*, 24-cv-07046.

WHEREAS, on July 24, 2024, the Parties in the *Fleites* Action filed a Joint Stipulation Re Briefing Schedule for Defendants' Responses to Plaintiff's Second Amended Complaint, which set August 30, 2024 as Defendants' deadline to respond to the SAC ("July 24 Joint Stipulation") (ECF No. 419, *Fleites v. MindGeek S.a.r.l. et al.*, Case No. 21-cv-04920-WLH-ADS);

WHEREAS, on August 2, 2024, the Court granted the Parties' July 24 Joint Stipulation and approved the following briefing schedule relating to the SAC (ECF No. 424, *Fleites v. MindGeek S.a.r.l. et al.*, Case No. 21-cv-04920-WLH-ADS):

**August 30, 2024:** Each Defendant's Deadline to Answer, Move, or Otherwise Respond to the SAC;

**October 15, 2024:** Plaintiff's Deadline to Respond to Each Defendant's Answer, Motion, or Response (if and as applicable);

**November 5, 2024:** Each Defendant's Deadline to File Replies (if and as applicable);

**November 22, 2024:** Proposed Hearing on Each Defendant's Answer, Motion or Response (if and as applicable);

WHEREAS, in 13 of the 14 Related Actions, the Court entered an Order Granting Joint Stipulation Re Briefing Schedule for Defendants' Motions to Dismiss that set October 15, 2024 as Defendants' deadline to answer, move, or otherwise respond to each complaint, and set January 10, 2025 as the hearing date for motions filed in response to each complaint. WHEREAS, the case styled *J.L. v. MindGeek S.à.r.l. et al.*, Case No. 2:24-cv-07046-WLH-ADS (C.D. Cal. Aug. 20, 2024) (the "*J.L.* case") was only recently filed, so deadlines to respond to the complaint were not set in

1 this Order;

2 WHEREAS, in all 14 Related Actions, the Court later entered an Order Granting  
3 the Parties' October 4, 2024 Joint Stipulation to Request Limited Coordination for  
4 Purposes of Responding to Complaints in Related Cases that extended the previous  
5 schedule and (a) set October 21, 2024 as Defendants' deadline to answer, move, or  
6 otherwise respond to each complaint; (b) in each of the Related Actions, allowed each  
7 defense counsel to file a single omnibus motion to dismiss for the parties that they each  
8 represent which may incorporate by reference the arguments made in the parties'  
9 motions to dismiss filed in the *Fleites* Action; (c) allowed Plaintiffs' counsel to file a  
10 single omnibus opposition to the collective motions to dismiss filed by Defendants in  
11 the Related Actions, which may incorporate by reference the arguments made by the  
12 Parties in the motion to dismiss briefing in the *Fleites* Action; (d) allowed each defense  
13 counsel to file one omnibus reply to each motion to dismiss filed in the Related  
14 Actions; (e) set January 10, 2025 as the hearing date for the motions filed in each case;  
15 (f) increased the page limit for each omnibus motion to dismiss to 50 pages and each  
16 omnibus reply to 35 pages; and (g) increased the page limit for Plaintiffs' omnibus  
17 opposition to 85 pages.

18 WHEREAS, on October 7, 2024, the Parties in the *Fleites* Action filed a Joint  
19 Stipulation to Request Extension of Remaining Briefing Schedule for Defendants'  
20 Responses to Plaintiff's Second Amended Complaint, which set October 21, 2024 as  
21 Plaintiff's deadline to file a single omnibus opposition to the collective motions to  
22 dismiss filed by Defendants, increased the page limit for Plaintiff's opposition to 85  
23 pages, and increased the page limit for each Defendant's reply to 20 pages ("October  
24 7 Joint Stipulation") (ECF No. 472, *Fleites v. MindGeek S.a.r.l. et al.*, Case No. 21-  
25 cv-04920-WLH-ADS);

26 WHEREAS, on October 11, 2024, the Court granted the Parties' October 7 Joint  
27 Stipulation, and approved the following briefing schedule relating to the SAC (ECF  
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No. 473, *Fleites v. MindGeek S.a.r.l. et al.*, Case No. 21-cv-04920-WLH-ADS):

**October 21, 2024:** Plaintiff's Deadline to Respond to Each Defendant's Answer, Motion, or Response (if and as applicable);

**November 8, 2024:** Each Defendant's Deadline to File Replies (if and as applicable);

**January 10, 2025:** Hearing on Each Defendant's Answer, Motion or Response (if and as applicable);

WHEREAS, given the length and complexity of the SAC in the *Fleites* Action and the complaints in the Related Actions, and the number of motions to dismiss, and in the interest of judicial economy, efficient case management, conservation of resources of the over 30 parties involved in the Related Actions, and coordination with the briefing schedules in the *Fleites* Action and the Related Actions, the Parties believe good cause exists to extend the current briefing schedule and (a) in the *Fleites* Action, set October 30, 2024 as the deadline for Plaintiff to file a single omnibus opposition responding to the motions to dismiss filed by Defendants; (b) in the *Fleites* Action, set December 6, 2024 as the deadline for each Defendant to file a reply; (c) in the Related Actions, set October 30, 2024 as the deadline for each of the Defendants to answer, move, or otherwise respond to the complaints; (d) in the Related Actions, set December 12, 2024 as the deadline for Plaintiffs to file a single omnibus opposition responding to the motions to dismiss filed by Defendants; and (e) in the Related Actions, set January 8, 2025 as the deadline for each Defendant to file an omnibus reply;

WHEREAS, the Parties agree that, subject to the approval of the Court, there is good cause to modify the briefing schedules previously agreed to in the October 4 Joint Stipulation to Request Limited Coordination for Purposes of Responding to Complaints in Related Cases filed in the Related Actions and the October 7 Joint Stipulation in the *Fleites* Action, to allow the Court additional time to consider this

1 stipulation, the Plaintiff to prepare her omnibus opposition, and the Defendants to  
2 prepare their replies:

3 Fleites Action

4 **October 30, 2024:** Plaintiff's Deadline to Respond to Each Defendant's  
5 Answer, Motion, or Response (if and as applicable);

6 **December 6, 2024:** Each Defendant's Deadline to File Replies (if and as  
7 applicable);

8 **January 31, 2025:** Proposed Hearing on Each Defendant's Answer,  
9 Motion or Response (if and as applicable);

10 Related Actions

11 **October 30, 2024:** Each Defendant's Deadline to Answer, Move, or  
12 Otherwise Respond to the Complaints (if and as  
13 applicable);

14 **December 12, 2024:** Plaintiff's Deadline to Respond to Each Defendant's  
15 Answer, Motion, or Response (if and as applicable);

16 **January 8, 2025:** Each Defendant's Deadline to File Replies (if and as  
17 applicable);

18 **January 31, 2025:** Proposed Hearing on Each Defendant's Answer,  
19 Motion or Response (if and as applicable);

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21 WHEREAS, the foregoing opposition deadline in the *Fleites* Action mirrors the  
22 deadline for the Defendants to answer, move, or otherwise respond to the complaints  
23 in each of the Related Actions.

24 IT IS FURTHER STIPULATED AND AGREED that Defendants preserve all  
25 objections and defenses to the SAC and to each complaint in the 14 Related Actions,  
26 including any objection or defense on the ground of lack of personal jurisdiction.

27 Accordingly, the Parties respectfully request that this Court set the remaining  
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1 briefing and hearing schedule in the *Fleites* Action for Defendants' responses to  
2 Plaintiff's SAC, set the briefing and hearing schedule in the Related Actions for  
3 Defendants' responses to the complaints, and enter the [Proposed] Order concurrently  
4 filed with this Joint Stipulation.

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6 IT IS SO STIPULATED.

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8 DATED: October 18, 2024

**BROWN RUDNICK LLP**

9  
10 By: /s/ Michael J. Bowe

11 Michael J. Bowe  
12 Lauren Tabaksblat

13 **OLSON STEIN LLP**

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15 By: /s/ David M. Stein

16 David M. Stein

17 *Attorneys for Plaintiff Serena Fleites*  
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1 DATED: October 18, 2024

**MINTZ LEVIN COHN FERRIS GLOVSKY  
AND POPEO P.C.**

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3 By: /s/ Esteban Morales Fabila

4 Esteban Morales Fabila

5 Peter A. Biagetti

6 *Attorneys for Defendants MindGeek S.à.r.l.,*  
7 *MG Freesites Ltd, MindGeek USA*  
8 *Incorporated, MG Premium Ltd, MG*  
9 *Global Entertainment Inc., and 9219-1568*  
10 *Quebec Inc.*

11 DATED: October 18, 2024

**WEIL, GOTSHAL & MANGES LLP**

12  
13 By: /s/ Drew Tulumello

14 Drew Tulumello

15 *Attorneys for Defendant Visa Inc.*

16  
17 DATED: October 18, 2024

**MORVILLO ABRAMOWITZ GRAND  
IASON & ANELLO PC**

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19  
20 By: /s/ Jonathan S. Sack

21 Jonathan S. Sack

22 *Attorneys for Defendant David Tassillo*  
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1 DATED: October 18, 2024

**COHEN & GRESSER LLP**

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3 By: /s/ Matthew V. Povolny

4 Matthew V. Povolny

5 *Attorneys for Defendant Feras Antoon*

6  
7 DATED: October 18, 2024

**WALDEN MACHT HARAN & WILLIAMS  
LLP**

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9 By: /s/ Ronald G. White

10 Ronald G. White

11 *Attorneys for Defendant Bernd Bergmair*

12  
13 DATED: October 18, 2024

**PAUL HASTINGS LLP**

14  
15 By: /s/ James M. Pearl

16 James M. Pearl

17 Adam M. Reich

18 Emma Lanzon

19 Kiaura Clark

*Attorneys for Defendant Redwood Capital  
Management, LLC*

20  
21 DATED: October 18, 2024

**WHITE & CASE LLP**

22  
23 By: /s/ David G. Hille

24 David G. Hille

25 Kevin C. Adam

26 Russell J. Gould

*Attorneys for Defendant Colbeck Capital  
Management, LLC*

**ATTESTATION STATEMENT**

I, Lauren Tabaksblat, the filer of this declaration, attest pursuant to Rule 5-4.3.4(a)(2) of the Local Rules for the United States District Court for the Central District of California that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

Dated: October 18, 2024

**BROWN RUDNICK LLP**

/s/ Lauren Tabaksblat

Lauren Tabaksblat

*Attorney for Plaintiff Serena Fleites*

**CERTIFICATE OF SERVICE**

I, the undersigned counsel of record for Plaintiff Serena Fleites, certify that the foregoing instrument was served pursuant to the Federal Rules of Civil Procedure on October 18, 2024 upon all counsel of record via ECF.

Dated: October 18, 2024

**BROWN RUDNICK LLP**

/s/ Lauren Tabaksblat

Lauren Tabaksblat

*Attorney for Plaintiff Serena Fleites*